

REMARKS/ARGUMENTS

Claims 1-9 are pending.

Claims 1-9 are rejected.

Claims 1-3 have been amended. Support for these amendments can be found throughout the specification and drawings, as originally filed.

35 USC §103(a) REJECTION

Claims 1-7 and 9 stand rejected under 35 USC §103(a) as being anticipated by U.S. Patent No. 6,783,167 to Bingle et al., in view of U.S. Patent No. 6,536,928 to Hein et al.

The Applicants respectfully traverse the 35 USC §103(a) rejection of claims 1-13.

The standard for obviousness is that there must be some suggestion, either in the reference or in the relevant art, of how to modify what is disclosed to arrive at the claimed invention. In addition, "[s]omething in the prior art as a whole must suggest the desirability and, thus, the obviousness, of making" the modification to the art suggested by the Examiner. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 U.S.P.Q.2d (BNA) 1434, 1438 (Fed. Cir.), cert. denied, 488 U.S. 825 (1988). Although the Examiner may suggest the teachings of a primary reference could be modified to arrive at the claimed subject matter, the modification is not obvious unless the prior art also suggests the desirability of such modification. *In re Laskowski*, 871 F.2d 115, 117, 10 U.S.P.Q.2d (BNA) 1397, 1398 (Fed. Cir.1989). There must be a teaching in the prior art for the proposed combination or modification to be proper. *In re Newell*, 891 F.2d 899, 13 U.S.P.Q.2d (BNA) 1248 (Fed. Cir. 1989). If the prior art fails to provide this

necessary teaching, suggestion, or incentive supporting the Examiner's suggested modification, the rejection based upon this suggested modification is error and must be reversed. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d (BNA) 1566 (Fed. Cir. 1990).

The law is also clear that a claim in dependent form shall be construed to incorporate all the limitations of the claim to which it refers. 35 U.S.C. §112 ¶ 4.

In the interests of expediting the prosecution of the instant application, and without admission that any amendment is necessary, the Applicants have amended claim 1 to recite, among other things, an interior light assembly for motor vehicles, the interior light assembly comprising: (1) a frame having a frame opening and defining an interior of the interior light assembly; and (2) at least one lens connected to the frame and filling out the frame opening, wherein the at least one lens includes a first lens portion and a second lens portion; and (3) at least one illumination element and at least one electroluminescent film arranged within the area of the frame opening behind the at least one lens in the interior of the interior light assembly so that light emitted by the at least one illumination element and the at least one electroluminescent film passes from the interior through the at least one lens arranged in the frame opening for illuminating a vehicle interior passenger compartment, wherein the light transmitted through the first lens portion is of a first intensity and the light transmitted through the second lens portion is of a second intensity, wherein the first intensity is greater than the second intensity.

Neither Bingle et al. and/or Hein et al., either alone or in combination therewith, suggests such structure.

Specifically, Bingle et al. and/or Hein et al., either alone or in combination therewith, fail to suggest, among other things, that the lens includes a first lens portion and a second

lens portion, wherein the light transmitted through the first lens portion is of a first intensity and the light transmitted through the second lens portion is of a second intensity, wherein the first intensity is greater than the second intensity. Therefore, one of ordinary skill in the art would not look to Bingle et al. and/or Hein et al., either alone or in combination therewith, for guidance on constructing an interior light assembly as presently claimed.

Accordingly, neither Bingle et al. and/or Hein et al., either alone or in combination therewith, render claim 1 obvious. Furthermore, dependent claims 2-7 and 9, which depend from and further define claim 1, are likewise not rendered obvious by Bingle et al. and/or Hein et al., either alone or in combination therewith.

35 USC §103(a) REJECTION

Claim 8 stands rejected under 35 USC §103(a) as being anticipated by U.S. Patent No. 6,783,167 to Bingle et al., in view of U.S. Patent No. 6,536,928 to Hein et al. and further in view of U.S. Patent No. 6,280,480 to Tuttle et al.

The Applicants respectfully traverse the 35 USC §103(a) rejection of claim 8.

In the interests of expediting the prosecution of the instant application, and without admission that any amendment is necessary, the Applicants have amended claim 1 as previously noted.

As previously noted, neither Bingle et al. and/or Hein et al., either alone or in combination therewith, suggests such structure.

Reiterating, Bingle et al. and/or Hein et al., either alone or in combination therewith, fail to suggest, among other things, that the lens includes a first lens portion and a second lens portion, wherein the light transmitted through the first lens portion is of a first intensity

and the light transmitted through the second lens portion is of a second intensity, wherein the first intensity is greater than the second intensity.

The recitation of Tuttle et al. does not cure the deficiencies in the teachings of either Bingle et al. and/or Hein et al., either alone or in combination therewith. While Tuttle et al. may arguably disclose the use of serrations in connection with a light assembly, Tuttle et al. does not suggest the use of a lens that includes a first lens portion and a second lens portion, wherein the light transmitted through the first lens portion is of a first intensity and the light transmitted through the second lens portion is of a second intensity, wherein the first intensity is greater than the second intensity. Therefore, one of ordinary skill in the art would not look to Bingle et al., Hein et al., and/or Tuttle et al., either alone or in combination therewith.

Accordingly, Bingle et al., Hein et al., and/or Tuttle et al., either alone or in combination therewith, do not render claim 1 obvious. Furthermore, dependent claim 8, which depends from and further defines claim 1, is likewise not rendered obvious by Bingle et al., Hein et al., and/or Tuttle et al., either alone or in combination therewith.

CONCLUSION

In view of the foregoing, the Applicant respectfully requests reconsideration and reexamination of the Application. The Applicant respectfully submits that each item raised by the Examiner in the Office Action of September 28, 2005 has been successfully traversed, overcome or rendered moot by this response. The Applicant respectfully submits that each of the claims in this Application is in condition for allowance and such allowance is earnestly solicited.

The Examiner is invited to telephone the Applicant's undersigned attorney at (248) 364-4300 if any unresolved matters remain.

Any needed extension of time is hereby requested with the filing of this document.

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 501612. A duplicate copy of this letter is enclosed herewith.

Respectfully submitted,

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Dated: December 27, 2005

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